

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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3 5 2 CAPITAL GP LLC, on behalf of 3 5 2	:
CAPITAL ABS MASTER FUND LP,	:
	:
Plaintiff,	:
	24-CV-5102 (VEC)
-against-	:
	<u>ORDER</u>
RYAN WEAR, TYLER SADEK, JORDAN	:
CHIRICO, WATER STATION MANAGEMENT	:
LLC, REFRESHING USA, LLC, CREATIVE	:
TECHNOLOGIES, LLC, C3 CAPITAL, INC.,	:
REVL CAPITAL MANAGEMENT LLC, REVL	:
SECURITIES LLC, CREATIVE	:
TECHNOLOGIES FLORIDA, LLC,	:
WATERSTATION TECHNOLOGY II LLC,	:
WATERSTATION FINANCE COMPANY, LLC,	:
WATERSTATION TECHVENTURE LLC, WST	:
FRANCHISE SYSTEMS LLC, WST AZ	:
PROPERTIES, LLC, WSM CAPITAL FUNDING,	:
INC., WS SPV 1, LLC, REFRESHING	:
ARIZONA, LLC REFRESHING CALIFORNIA	:
L.L.C., REFRESHING CAROLINAS LLC,	:
REFRESHING COLORADO LLC,	:
REFRESHING FLORIDA LLC, REFRESHING	:
GEORGIA LLC, REFRESHING GREAT LAKES,	:
LLC, REFRESHING GREAT PLAINS LLC,	:
REFRESHING KENTUCKY LLC,	:
REFRESHING LAS VEGAS, LLC,	:
REFRESHING MID-ATLANTIC LLC,	:
REFRESHING MIDWEST LLC, REFRESHING	:
MIDWEST REAL ESTATE LLC, REFRESHING	:
MONTANA, LLC, REFRESHING NEW	:
ENGLAND, LLC, REFRESHING NEW MEXICO	:
LLC, REFRESHING OHIO LLC, REFRESHING	:
TEXAS, LLC, REFRESHING UTAH, LLC,	:
REFRESHING USA MERGER SUB LLC,	:
REFRESHING WASHINGTON LLC, VENDPRO	:
LLC, BEVTECK TECHNOLOGIES LLC,	:
SUMMIT MANAGEMENT SERVICES LLC,	:
IDEAL PROPERTY INVESTMENTS LLC,	:
IDEAL INDUSTRIAL PARK LLC, IDEAL AZ	:
PROPERTY INVESTMENTS, LLC, 2129,	:
ANDREA LANE, LLC, 3209 VAN BUREN LLC,	:

ICE & WATER VENDORS LLC, K-2 :  
ACQUISITION, LLC, K-2 MFG LLC, SMOKEY :  
POINT HOLDINGS LLC, PISTOL INC., EMERY :  
DEVELOPMENT LLC, ARIZONA WATER :  
VENDORS INCORPORATED, 1118 VIRGINIA :  
STREET LLC, 11519 SOUTH PETROPARK :  
LLC, TCR PLUMBING LLC, FLAGSTAFF :  
PLUMBING, LLC, 70 NORTH GARDEN :  
AVENUE LLC, 701 EDEN LLC, AURORA :  
BUILDING PRODUCTS LLC, 3422 W :  
CLARENDON AVE LLC, 1206 HEWITT AVE :  
LLC, GOLDEN STATE VENTURES, LLC, :  
GOLDEN STATE VENDING, LLC, VALLEY :  
VENDING, LLC, DRINK UP VENTURE LLC, :  
and JOHN DOES 1-1000, :  
: Defendants. :  
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VALERIE CAPRONI, United States District Judge:

WHEREAS on September 27, 2024, the parties (excluding the Defendants who have not yet appeared) appeared before the Court for an Initial Pretrial Conference.

IT IS HEREBY ORDERED that any motion to dismiss must be filed not later than **Monday, October 7, 2024**. Oppositions must be filed not later than **Friday, November 8, 2024**, and replies must be filed not later than **Friday, November 22, 2024**. Any motion to strike must be filed separately from the motion to dismiss, following the same briefing schedule.

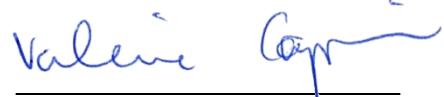
IT IS FURTHER ORDERED that, if any Defendants fail to answer or otherwise respond to the Complaint by October 7, 2024, Plaintiff must move for an order to show cause why default judgment should not be entered against those Defendants, in accordance with this Court's Individual Practices, not later than **October 21, 2024**.

IT IS FURTHER ORDERED that the parties must file joint letters on the **15th day of each month** (or, if the 15th is a weekend or holiday, the first business day after the 15th day of the month) apprising the Court of the status of discovery.

IT IS FURTHER ORDERED that not later than **December 1, 2024**, the parties must meet and confer regarding custodians and search terms for any ESI discovery. The parties must apprise the Court of this meeting in their December 16, 2024, joint letter.

**SO ORDERED.**

**Date: September 27, 2024**  
**New York, New York**

  
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**VALERIE CAPRONI**  
**United States District Judge**